

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**CARTER W. MATNEY,**  
**Plaintiff,**

**v.**

**OFFICER JAMES H. HALE, et al.,**  
**Defendants.**

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**Civil Action No. 7:12-00627**

**ORDER**

**By: Hon. Michael F. Urbanski**  
**United States District Judge**

In accordance with the Memorandum Opinion entered this day, it is hereby

**ORDERED**

that plaintiff's motion to strike the first motion for the court to overturn the conviction and first motion for compensation is **GRANTED** and those two motions are **STRICKEN**; plaintiff's second motion for the court to overturn the conviction is **DENIED**; the Complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1); plaintiff's second motion for compensation is **DENIED** as moot; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff.

Entered: March 11, 2013

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge